



By the King.

**A Proclamation for the vtter prohibiting the importa-  
tion and vse of all Tobacco, which is not of the proper growth of  
the Colonies of Virginia and the Summer Ilands, or one of them.**



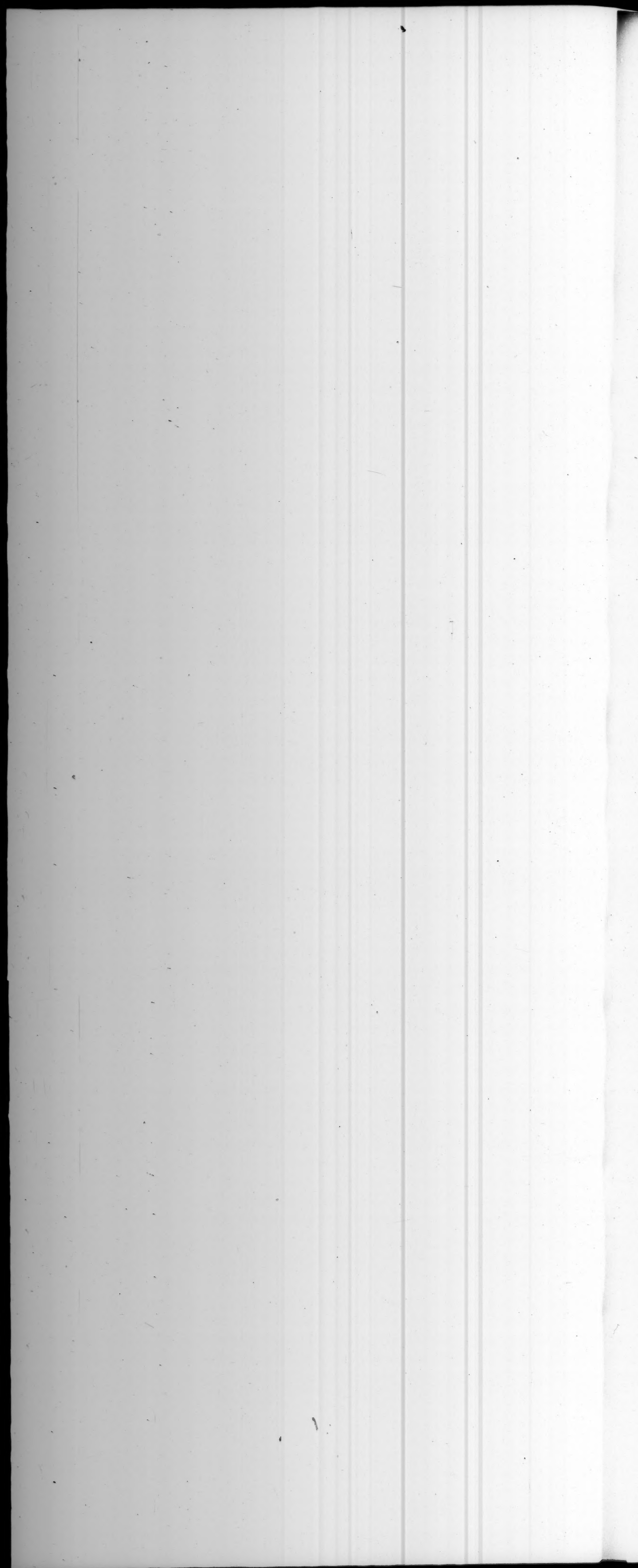
Hereas, at the humble suite of Our Commons in Parliament, by Our Royall Proclamation, bearing date the nine and twentieth day of September now last past, for the reasons therein contained, we haue prohibited the importation and vse of all Tobacco, which is not of the proper growth of Our Colonies of Virginia and the Summer Ilands, or one of them; And whereas, vpon the humble Petition of many Our louing Subjects, being Planters or Aduenturers in those Colonies, and for the support and encouragement of those Plantations (whose prosperous estate we much affect, and shall by all good meanes be alwayes ready to cherish and protect) we haue bene contented to tolerate the vse of Tobacco, of the growth of those Plantations for a time, vntill by more solid Commo-

dities they be able to subsist otherwise, which (as we are informed) they cannot as yet by any meanes doe; And therefore by Our said Proclamation, we did thinke fit to giue particular directions in many things tending to those ends, and did straitly command the due execution and obseruation thereof, vnder the penalties therein contained: Now because we haue bene informed, aswell by the humble Certificate of Our Commissioners for Virginia, as by the humble Petition of diuers of Our louing Subjects, the Planters and Aduenturers of, and in those Colonies, That, notwithstanding Our Royall pleasure was so expressely signified, and the reasons of State are so plainly laid downe, as might haue perswaded euery well affected Subject to the due obseruance thereof; yet diuers, out of an inordinate desire of priuate gaine, haue wilfully disobeyed Our commandement herein, and thereby haue indeauoured, as much as in them lieth, to destroy so noble a worke as the support of those Plantations, which so much concernes Our Honour, and the honour and profit of Our people.

Wee therefore, being very sensible of this neglect and contempt, haue thought good to renew Our said Proclamation; And doe hereby signifie and declare vnto all Our louing Subjects, and vnto all others, Our expresse Will and pleasure to be, That Our said former Proclamation, and euery clause, prohibition, article and thing therein contained, shall from hencefoorth be duly obserued and obeyed, with such alterations and additions, as are in these presents contained and expresse, vpon paine of Our high displeasure, and such penalties and punishments, as in Our said former Proclamation are, or in these presents shall be limited or appointed for the offenders thereof.

And whereas some haue since Our said last Proclamation, vnmarchantlike, secretly and cunningly stolen in great parcels of Tobacco, contrary to Our said Proclamation: we would haue those persons, and all others by their example know, That they must expect the seueritie of that censure, which Our Court of Starre-Chamber shall thinke fit to inflict vpon them, and that we are resolved not to relent or remit their deserued punishment, but to cause them and all others, that shall hereafter offend herein, to bee prosecuted and punished in such measure, as such their high contempt doth deserue.

And because we conceived it would be vtterly in vaine to prohibite the importation of such forreine Tobacco, as aforesaid, vnlesse the care and charge of the execution thereof were committed by vs, to some fit and able persons, who behoues the respect to Our seruice, might for their owne particular intereits take the same to heart; Therefore we haue by Our Letters Patents vnder Our great Seal



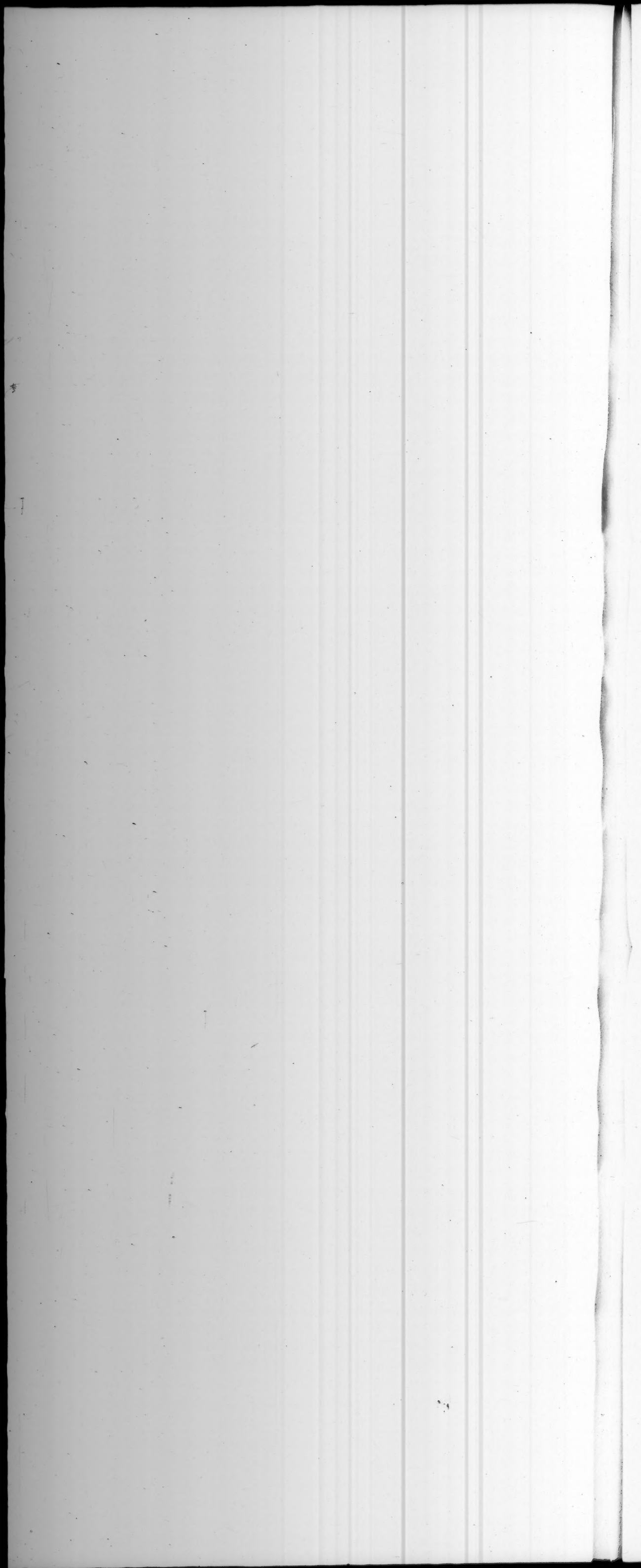
of England, authorized certaine persons, Citizens of London, Well affected to those plantations, an  
Our service, by themselves, and their Deputies, to search and inquire into the offences, and offen-  
ders against Our said Proclamation: And wee haue also contracted with them to bee Our Agents  
for Us, and to Our vse to receiue the Tobacco of those Colonies, at, and for such prices as wee haue  
agreed to giue for the same; and besides those prices, to bee giuen to the Planters and owners of the  
said Tobacco, Our said Agents haue further contracted with Us, to giue and pay vnto Us, and to  
Our vse, such summes of money more, as may giue Us reasonable satisfaction for that losse, which o-  
therwise wee should sustaine in Our Customs and other Duties, and may inable Us to beare that  
charge, which wee haue vnderaken yeerely to disburse for the generall defence and support of those  
Plantations. And wee doe further by this Our Proclamation publish and declare, that wee will con-  
stantly and inuolably obserue and performe Our said contract, and on Our parts, will allow and dis-  
burse out of Our reuenew, those summes of money for the safety of those Plantations, and for the ease  
of the Planters and Inhabitants there, which by the said contract hath bene on Our parts vnder-  
taken, whereof wee would haue, aswell Our said Agents, as the Planters and Adventurers in those  
Colonies, and all other whom it may concerne, to rest confidently assured.

And because wee are giuen to vnderstand, that diuers vsing to trade in Tobacco, and hauing a  
purpose to import, or buy, or sell the same, contrary to the intent of this Our Proclamation, doe  
vsually land the same at priuate wharffes, Staires, or other places, and send, or conueigh the same  
vnto the Houses, Cellers, Warehouses, or other places, of, or belonging to others, who are lesse sus-  
pected then themselves, thereby to conceale the same from Us, and Our Agents; wee further will  
and command, That from hencefoorth no person whatsoever, presume, or suffer the said prohibited  
Tobacco to bee landed at any wharffe, Staire, or other place, nor receiue, or conceale any such probi-  
bited Tobacco, or suffer the same to be bestowed in any of their Houses, Cellers, Warehouses, or o-  
ther places, vpon paine of Our high displeasure, and vpon such paines and penalties, as by this, or  
Our former Proclamation, are to be inflicted vpon the principall offenders. And to the intent that all  
the prohibited Tobacco brought in, shalbe iustly and truly exported againe, & no part thereof sold, or  
vented within these Our Kingdomes; Our will and command is, That all the prohibited Tobacco  
which shall be seized within Our Kingdome of England, shall be brought and deliuered into the Ware-  
house, or Storehouse which shall be to that purpose provided by the said Agents, in Our city of Lon-  
don; and all the prohibited Tobacco, which shall be seized within Our Kingdome of Ireland shall bee  
brought and deliuered into the Warehouses, or Storehouses which shall to that purpose bee appoin-  
ted by Our Agents in Our city of Dublin, or elsewhere within Our said Kingdome of Ireland.

And for the encouragement of those, who shall take paines in the discovery and seizing thereof,  
Our will and pleasure is, That the one halfe of the reasonable value thereof, shall bee paid vnto the  
seizers thereof in money by Our Agents, & the Tobacco it selfe shall be exported againe by Our said  
Agents, or by their appointments: And for the better execution of Our service herein, wee doe here-  
by giue full power and authority, as well to Our Agent and Agents, as to their Deputy and Depu-  
ties, at all time and times, to enter into, and to search for any prohibited Tobacco, contrary to this  
Our Proclamation, in any Ship, Boate, or vessell, or in any House, Shop, Celler, Soller, Warehouse,  
or in any Trunke, Chest, Case, Barrell, or Pack, Cabbin, or any other suspected place whatsoever,  
and finding any such prohibited Tobacco, the same to seize and cary away, to be conueyed to such  
place or Warehouse, as Our said Agent shall appoint for that purpose, as aforesaid.

And Our expresse will and command is, That neither Our said Agents, nor any others, doe sell, or  
vtter any part of the said prohibited Tobacco, within any Our owne Dominions, there to bee spent  
and vsed, whereby the vent of the Tobacco of Our Colonies aforesaid may any way bee hindered,  
vpon paine of Our heauy displeasure, and such other paines and penalties, as other offenders against  
this Our Proclamation are liable vnto.

And whereas by Our former Proclamation, wee did command, that from, & after the five & twen-  
tieth day of March, then, and now next ensuing, no person should sell, vtter, or offer to put to sale, or  
vse any Tobacco, which is not of the proper growth of the Colonies aforesaid, and before the ende of  
forty dayes then next ensuing, should transport out of Our said Kingdome, all other Tobacco, then  
that of the growth of those Colonies: wee doe now by this Our Proclamation, ratifie and confirme  
the same, and command, the same to be duely put in execution: And to the ende there may be no eua-  
sion vsed to auoyd the same, wee doe hereby giue full power and commandement to Our said A-  
gents, by themselves and their Deputies, at any time, or times after the said five and twentieth day  
of March now next ensuing, to search for the said prohibited Tobacco, and to take a true and exact  
note and accompt of the quantity thereof, to the intent that the Owners thereof, before the ende of  
forty dayes next ensuing after the said five and twentieth day of March, either by themselves, or some  
other, may export the same by the privity of the said Agents, according to the true intent of this, and



of our said former Proclamation, and at the end of the said forty dayes, may give a full account unto our said Agents, what is become thereof; & whatsoever Tobacco which is not of the proper growth of the Plantations aforesaid, shall after the said forty dayes be found in the hands of any person whatsoever, shall be seized by our said Agents, or their Deputies to our use, and the said person or persons having or using the same, shall incurre our high displeasure, and be subject to such further paines and penalties, as by our said Proclamation are to be inflicted upon any other offenders.

And our further Will and command is, that all the Tobacco of the growth of our Colonies aforesaid, shall be brought to the Custom-house key of our port of London, and there be delivered to our Agents, or their Assignees to our use, according to our contract aforesaid, or be kept in our said Custom-house to be transported out of our Dominions; and whatsoever Tobacco of the growth of those Plantations, or either of them, shall not be brought to that Key, and be delivered as aforesaid, or for which there shall not be good security given to our Agents, within foureteene dayes after the landing thereof, to export the same as aforesaid, the same shall be forfeited and seized to our use by our Agents or their Deputies, as other prohibited Tobacco, and this to be duly observed under the paines and penalties aforesaid.

And whereas we are given to understand, that diuerse using to trade in Tobacco, haue and still doe secretly and vnderhand steale into our Kingdomes the said prohibited Tobacco, and doe so priuily hide and conceale the same, that they cannot be easily discovered, nor found out, and doe either by themselves, or others by them to that purpose employed, carry the same by small quantities to the houses or shops of our subjects, inhabiting within our said Kingdomes, and doe sell or proffer the same to be sold, or else doe secretly and covertly offer to contract for the sale of such prohibited Tobacco; our Will and pleasure is, and we doe hereby straitly charge and command all and euery our loving subjects, to whom any the said prohibited Tobacco shall be offered to be sold or contracted for, as aforesaid, that immediately upon the sight of any such prohibited Tobacco, or upon offer to contract for any such Tobacco, they make stay thereof, and of such person or persons, as shall either proffer the same to sell, or shall offer to contract for any the said prohibited Tobacco, and that they and euery of them, who shall haue the said prohibited Tobacco so proffered unto them to be sold, as aforesaid, shall giue notice thereof, and charge the next Constable, Head borough, or other Officer, with such person or persons, who shall offer to put the same to sale, upon paine of our high displeasure, and of such other paines and penalties, as other offenders against this our Royall Proclamation are liable unto. And we doe hereby further charge and command all and singular Constables, Head boroughs & other our Officers aforesaid, that they and euery of them, upon notice unto them given of any such prohibited Tobacco, as aforesaid, or of any such person and persons so offending, as aforesaid, that they seize the said Tobacco, and detaine all such person and persons so offending as they shall haue knowledge of, untill they haue giuen notice thereof unto our said Agents or their Deputies, and untill by their meanes the person offending may be brought before such Officer as hath power by this our Proclamation to take sufficient bond for the appearance of such person, in some of our Courts of iustice, to answer for their faults as the same shall deserue.

And for the better finding out and discovery of the offences and offenders against our former and this our Proclamation, we are well pleased, and doe hereby require and command, that our Treasurer, Commissioners for our Treasury, Chancellour and Barons of our Exchequer now, and for the time being, within our said Kingdomes of England and Ireland, respectively shall and may award such and so many Commissions, as they shall thinke meet, to be directed to discreet and fit persons in all or any our Ports, or elsewhere, to enquire of and examine upon oath, or otherwise, all such persons as are, or shall be suspected to haue heretofore offended, or which hereafter shall offend against this, or our former Proclamation in this behalfe, or any other person or persons whatsoever, for the finding out and discovery of the said offences and offenders, as is before mentioned; to the end that, as well the importers of such Tobacco as the buyers, sellers, spenders, receivers and concealers thereof, may receiue such condigne punishment by fine or otherwise, for their offences, as by our Court of Star chamber, or Court of Exchequer shall be thought fit: And in case such Tobacco shall not, or cannot be taken, or found to be seized, that then euery such offender shall forfeit and pay to the hands of our Agent or Agents, in this behalfe for our use, the full value of such Tobacco, as the said offenders heretofore haue, or hereafter shall haue imported, bought, sold, vented or receiued, as aforesaid, beside such further punishment, as shall be fit to be inflicted upon them for their contempt.

And our further Will and pleasure is, and we doe hereby declare, That whatsoever our said Agent or Agents, their Assignee or Assignees, vnder the hands and scales of the greater number of them, haue already done, or shall doe hereafter against any offender or offenders, in requiring and taking the forfeiture of any Tobacco, or the value thereof so imported or vttered as aforesaid, or in the mitigating or taking any lesse summe then the value of the same of any such offender in the premises,



or otherwise according to the good discretion of Our said Agent or Agents, wee doe and will from time to time approve and allow of by these presents: And this signification of Our pleasure shall be as well unto Our said Agent or Agents for the time being, as unto all and every such Commissioner and Commissioners which haue bene, or shall be employed, in, or about this Our service, a sufficient Warrant and discharge in that behalfe, without any account to be by them, or any of them respectively yeelded to Us, Our heires or Successors, and without incurring any penalty in the doing or executing of this Our Service and Royall Command.

And forasmuch as heretofore diuers great quantities of Tobacco haue bene imported into this Realme, vnder the name or names of sundry poore Mariners, and other, which are not able to pay the value thereof, nor giue satisfaction for the same, Our will and pleasure is, the better to auoyd such frauds and deceits in time to come, That in whatsoeuer Ship, or other Vessel, any such Tobacco in greater or lesser quantities, shall be found or discovered to haue bene, or to be so imported and to be shifted away that seizure thereof cannot, or shal not be made, That then such Mariners, or others, who shall so import or couler the said Tobaccos, shall not onely be punished, as aforesaid, but that euery Master of such Ship or Vessel, wherein such Tobacco shall be so imported or shifted away, as aforesaid, shall forfeit to Us the value of the said Tobacco, and that such Ship or Ships shall be arrested, and stayed by the Officers of euery Port, or any of Our Agents, their Deputies or Assignees respectively, vntill the said forfeiture be duly answered and paid to the hands of Our said Agent or Agents to Our vse, or in h others as they shal appoint in that behalfe.

And for the better execution of the premises, wee doe straitly charge and command all Justices of Peace, Mayors, Sherifes, Bailiffs, Constables, Iura boroughs, Tythingmen, Our Warden and Constable of Our Cinque Ports, and all other Our Officers and Ministers, as well of Our Admiralties, as otherwise, and all other Our loving Subjects, to whom it shal or may appertaine, that they and euery of them at all time & times hereafter, and from time to time, vpon sight of Our Letters Patents, granted to Our said Agents, or of a Deputation vnder the hands & seales of Our Agents, or any three of them, be ayding and assisting to Our said Agent and Agents, and their Deputies and Deputies, and to such Our Commissioners, as shall be from time to time appointed for or about this Our service, And also to be from time to time ayding and assisting to all Our Searchers, Wauers, and to all such other person and persons as shall be authorized by Our said Agent or Agents, or by Our Customers or Farmers of Our Customes, for the searching, seizing, taking, and carrying away of all such Tobacco imported, or hereafter to be imported or vttered, or intended to be put to sale contrary to this Our Royall prohibition and command. And if any person or persons shall bee found, priuily or secretly to oppose or animate any others, to contradict or withstand them in the due execution of this Our service and Royall command, or to neglect the due execution thereof, That then wee do by these presents, straitly charge and command, all and euery Our sayd Officers respectively, that euery such person and persons shall be apprehended and brought before Our Treasurer, Chancellour of Our Exchequer, or before any the Lords or others of Our Priny Councell, or before Our chiefe Baron, or some other of the Barons of Our Exchequer for the time being, to receiue such order for condigne punishment to be inflicted vpon them according to their demerits, as shall be fit.

Giuen at Our Court at Theobalds, the second day of March, in the two and twentieth yeere of Our Reigne of Great Britaine, France, and Ireland.

God saue the King.

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M.DC.XXIII.